

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

SHANE GUAY,

Defendant.

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**19-CR-103-LJV-HKS**

**NOTICE OF MOTION**

**MOTION BY:**

Jeffrey T. Bagley, Assistant Federal Public Defender.

**DATE, TIME & PLACE:**

Before the Honorable H. Kenneth Schroeder, Jr.,  
United States Magistrate Judge, Robert H. Jackson  
United States Courthouse, 2 Niagara Square,  
Buffalo, New York, **on the papers submitted.**

**SUPPORTING PAPERS:**

Affirmation of Assistant Federal Public Defender  
Jeffrey T. Bagley, dated July 8, 2019.

**RELIEF REQUESTED:**

Adjournment of motion deadline for forty-five (45)  
days.

**DATED:**

Buffalo, New York, July 8, 2019.

Respectfully submitted,

**/s/Jeffrey T. Bagley**

Jeffrey T. Bagley  
Assistant Federal Public Defender  
Federal Public Defender's Office  
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(716) 551-3341, (716) 551-3346 (Fax)  
jeffrey\_bagley@fd.org  
*Counsel for Defendant Shane Guay*

**TO:** Jeremy Murray  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

**19-CR-103-LJV-HKS**

v.

**AFFIRMATION**

SHANE GUAY,

Defendant.

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**JEFFREY T. BAGLEY**, affirms under penalty of perjury that:

1. I am an Assistant Federal Public Defender for the Western District of New York and was assigned to represent the above-named defendant, Shane Guay.
2. I make this affirmation in support of Mr. Guay's motion to adjourn the motion deadline for forty-five (45) days.
3. I make this request because I will be out of the office from July 4, 2019 through July 15, 2019, and then again at the end of July for an intensive two-week training. I am requesting more time to review the discovery and potentially draft motions based on that review.
4. Further, the parties are actively engaging in plea negotiations, which if fruitful, would obviate the need for motion practice and preserve judicial resources.
5. Assistant United States Attorney Jeremy Murray has no objections to this adjournment.

6. Mr. Guay is currently on pretrial release and no issues have been reported.

7. Should the motion be granted, the defendant agrees that the speedy trial time between the granting of the adjournment and the new pretrial motion deadline is excludable in the interests of justice and for the effective assistance of counsel. These interests outweigh Mr. Guay's interest and that of the public in a speedy trial.

**WHEREFORE**, it is respectfully requested that the Court grant Mr. Guay's motion for a forty-five (45) day adjournment of the motion deadline.

**DATED:** Buffalo, New York, July 8, 2019.

Respectfully submitted,

**/s/Jeffrey T. Bagley**

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**TO:** Jeremy Murray  
Assistant United States Attorney